

No. PD-0887-21

In the
Texas Court of Criminal Appeals
At Austin

FILED
COURT OF CRIMINAL APPEALS
4/6/2022
DEANA WILLIAMSON, CLERK

No. 01-20-00859-CR

In the Court of Appeals for the
First District of Texas
At Houston

No. 1685846

In the 230th District Court
Of Harris County, Texas

EX PARTE MICHAEL LOWRY

STATE'S FIRST MOTION FOR EXTENSION OF TIME TO FILE
BRIEF

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

THE STATE OF TEXAS, pursuant to Tex. R. App. P. 10.1 and 10.5(b),
moves for an extension of time within which to file the State's brief on
discretionary review. In support of its motion, the State submits the following:

1. This Court granted the State's petition for discretionary review on March 2, 2022.
2. The State's brief is due April 1, 2022.
3. The State seeks a fifteen-day extension to file its brief on discretionary review.

4. The following facts are relied upon to show good cause for the requested extension:
- i. This is the State's first request for an extension of time to file its brief.
 - ii. The undersigned attorney has been assigned to the following projects since this Court granted the State's petition for discretionary review:
 - a. In the Matter of D.M.
Trial Court Cause No. 2021-00598J
State's amended response to respondent's motion to dismiss submitted: March 7, 2022
State's sur-reply to respondent's motion to dismiss submitted: March 11, 2022
 - b. Larry Eagans v. State of Texas
No. 01-21-00420-CR
State's brief due: March 18, 2022
 - c. Ex parte Melissa Calise
State of Texas v. Melissa Calise
Trial Court Cause Nos. 1723034 & 1754454
Notice of State's appeal filed: March 25, 2022
 - d. Andrew Jackson v. State of Texas
No. 14-21-00533-CR
State's brief due: April 1, 2022
 - e. Glenis Cordova-Lopez v. State of Texas
No. 01-20-00724-CR
State's brief due: April 4, 2022
 - f. Lucky Ward v. State of Texas
AP-77,098
Appellant's brief due: April 28, 2022

g. In the Matter of T.V.T.
No. 14-18-00807-CV
State's petition for review due: May 13, 2022

iii. The undersigned attorney has had to conduct legal research to assist prosecutors with time-sensitive issues in cases and trials currently pending in the criminal and juvenile courts. The undersigned attorney is also currently involved in research and drafting projects specific to juvenile cases. Such additional work has interfered with the undersigned attorney's ability to complete the State's brief on discretionary review in this case.

5. This motion for extension is not made for purposes of delay, but that the issues in this case can be addressed completely and properly in briefing to this Court.

WHEREFORE, the State prays that this Court will grant an extension of time to Monday, April 18, 2022, for the undersigned attorney to complete and file the State's brief on discretionary review.

Respectfully submitted,

/s/ Patricia McLean

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing instrument will be sent by e-filing to:

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Date: April 1, 2022

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